

AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

FILED

11/27/19

UNITED STATES DISTRICT COURT

for the
Western District of Virginia

JULIA C. DUDLEY, CLERK
BY: K. Dotson
DEPUTY CLERK

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

URL: <https://www.facebook.com/sameasitneverends>

Case No. 3:19mj00066

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

URL: <https://www.facebook.com/sameasitneverends> (see Attachment A, which is incorporated as if set forth fully herein).

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, which is incorporated as if set forth fully herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

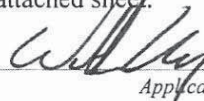
The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 875(c)	Threats in Interstate Commerce

The application is based on these facts:

See the attached Affidavit of Special Agent William Ury, which is incorporated by reference and made a part hereof.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

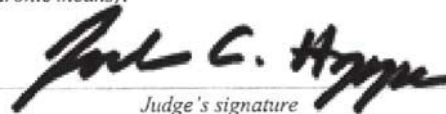
Special Agent William Ury

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone (specify reliable electronic means).

Date: 11/27/19

City and state: Charlottesville, VA



Judge's signature

Joel C. Hoppe

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA

Charlottesville Division

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
FACEBOOK USER NAME **URL:**
<https://www.facebook.com/sameasitneverends>
THAT IS STORED AT PREMISES
CONTROLLED BY FACEBOOK INC.

Case No. 3:19mj00066

Filed Under Seal

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

I, William Ury, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a certain Facebook user name that is stored at premises owned, maintained, controlled, or operated by Facebook Inc. ("Facebook"), a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. § 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the user name:

www.facebook.com/sameasitneverends

2. I am a Special Agent with the United States Capitol Police (USCP), and have been since August 2018. I am currently assigned to the USCP Investigations Division, Threat Assessment Section. Prior to working in the Investigations Division, I was a uniformed officer with the USCP from April 2003 to August 2018. Prior to employment with the USCP, I was a

Deputy Sheriff in Union County, Illinois from November 1990 to February 2003. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center (FLETC) in Glyncro, Georgia. In the course of my employment as a Special Agent with the USCP, I have received training regarding the application for and execution of search and arrest warrants. In my current assignment, I have participated in and conducted investigations involving illegal activity, including threatening communications, both locally and interstate.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. § 875 (Interstate Threatening Communications) have been committed by the owner of Facebook URL:

<https://www.facebook.com/sameasitneverends>.¹ There is also probable cause to search the information described in Attachment A for evidence of these crimes, as described in Attachment B.

PROBABLE CAUSE

5. On August 14, 2019, the United States Capitol Police (USCP) - Investigations Division-Threat Assessment Section received information reported by Cooperating Witness 1 (CW-1).

¹ Title 18, United States Code Section 875(c) prohibits the transmission, in interstate commerce, of true threats to kidnap and/or injure another individual – such as, e.g., an interstate telephone call.

6. CW-1 reported he was communicating with UNDERWOOD via Facebook Messenger on the night of August 12, 2019 and again on August 13, 2019.²

7. CW-1 reported UNDERWOOD was expressing mental and emotional issues he was experiencing with his girlfriend on the night of August 12, 2019.

8. CW-1 reported UNDERWOOD followed the conversation with the following statement: “And to top it off, the US is going down the shitter faster than I wanted it to, and I’m having legitimate serious thoughts about getting a plate carrier and rifle, and going off on my own kind of spree in the capital building.”³

9. When CW-1 asked what good such action would do, UNDERWOOD stated: “It would make me feel better. And frankly, that particular action is better than inaction. Go all founding father on their asses, clean slate this shit. I keep reading the manifestos of all these shooters, and I legitimately understand why they do what they do. I think their targets are fucked up, but their reasons check out with me. Gotta head back to the floor now man. Just thought I’d give you a quick run down.”⁴

10. CW-1 communicated that violence will not solve anything and UNDERWOOD replied: “Bro, our freedoms are already gone. We have no power other than violence.”⁵

11. CW-1 questioned UNDERWOOD about his future legacy and told UNDERWOOD he had so much to live for. UNDERWOOD communicated “That’s exactly my point. Facebook is

² Exhibit A – Pages 1-5 (Facebook URL: [facebook.com/messages/t/sameasitneverends](https://www.facebook.com/messages/t/sameasitneverends))

³ Exhibit A – Page 1 & 2 (Exhibit A is series of Facebook screen captures and photos provided by CW-1 to law enforcement)

⁴ Exhibit A – Page 2

⁵ Exhibit A – Id.

collecting it all. It's all monitored. And I'll probably get my door kicked in here soon. For having treasonous thoughts and conversations. Fuck my rights, yeah? I'd leave the legacy of a free man. Realistically, no, I'm not going to do anything, because it would ultimately serve no purpose. But I'd really like to buy a cabin in Northern Montana, and just fucking disappear. The fact that we can't even discuss such a thing as this without being a crime though, tells me all I need to know about my rights and freedoms. They're only given to me by violence of keeping them. If we cannot have faith in our government or process, then how else are we expected to change things? All of these epiphanies and questions led me to saying what I've said. Do you see where I'm coming from? That only options are to fight, or run? Lol this is why I don't open up alot."⁶

12. CW-1 communicated that "murdering people in cold blood won't do shit." UNDERWOOD replied: "What will do shit? Also, like 50 revolutions say your wrong."

13. CW-1 communicated "Mass protests" to UNDERWOOD's question and added, "Some loose act like this won't do the country any good. It'll just split us apart man.", to which UNDERWOOD replied: "Nah, not a loose action. A revolution. And when the fuck has a protest accomplished anything? I'd love an example."⁷

14. CW-1 communicated they cannot morally condone UNDERWOOD's statements, to which UNDERWOOD replied: "But you can morally condone letting the government trample all over its own people?"⁸

⁶ Exhibit A – Page 3

⁷ Exhibit A – Page 4

⁸ Exhibit A – Page 4

15. The communication ended with CW-1 giving their opinion of the state of the nation to come and receives no reply from UNDERWOOD.

16. CW-1 also informed law enforcement that, on the evening of August 13, 2019 (the day after the communications set forth above), he received another Facebook message from UNDERWOOD, which showed a screen capture of UNDERWOOD's recent online search history. The list of items for which UNDERWOOD searched included glock 17 price, bottle of jack, waynesboro to emporia, VA, level 5 ballistic plates, 2019 mustang gt digital dash, firebird cars, autozone near me, and does autozone check codes?.⁹

17. UNDERWOOD followed the list with the statement: "Lol I think my FBI agent is on high alert" "Bottle of jack, level 5 plates, glock, and the drive from my place to a DC suburb Imao".¹⁰

18. CW-1 asks why a DC suburb, and UNDERWOOD replies "Lol I actually have a friend who lives in DC I was planning to visit." CW-1 replies the statements scared him for a second,¹¹ to which UNDERWOOD replied: So imagine how my agent feels.

19. CW-1 reported UNDERWOODS's Facebook address as: **<https://www.facebook.com/sameasitneverends>**.

20. CW-1 reported UNDERWOOD goes by the name Eugene.

21. Agents submitted an exigent request for subscriber information an IP session logs to Facebook for the user name: **<https://www.facebook.com/sameasitneverends>**.

⁹ Exhibit A – Page 5 & 6

¹⁰ Exhibit A – Page 5

¹¹ Id.

22. A review of the information provided by Facebook revealed the account <https://www.facebook.com/sameasitneverends> subscribers name as Eugene UNDERWOOD with a phone number of 540-480-7138.

23. Agents performed database searches which associated the phone number 540-480-7138 with William UNDERWOOD of Stanton, VA.

24. Facebook also provided IP session logs which associated the IP address: 2601:05ce:0300:4514:490e:14d1:bfd2:4aa4 at 2019-08-13 22:03:41 UTC, with the account registered to UNDERWOOD. (The timeframe of communication with CW-1 on the evening of August 13, 2019)¹²

25. An open source search of the IP address 2601:05ce:0300:4514:490e:14d1:bfd2:4aa4 revealed the provider as Comcast.

26. Agents submitted an exigent request to the Comcast Legal Response Center for subscriber information associated with the IP address 2601:05ce:0300:4514:490e:14d1:bfd2:4aa4 and was provided with the following subscriber information: William UNDERWOOD of 202B Tiffany Dr. Waynesboro, VA 22980, phone number of 540-480-7138.

27. Law enforcement database checks on UNDERWOOD provided a date of birth as October 01, 1995 and a social security number as XXX-XX-5002.

28. A check of UNDERWOOD's Virginia driver's license reflects a full name of William Eugene Angus UNDERWOOD with an address of 202B Tiffany Dr. Waynesboro, VA 22980-3243.

¹² Exhibit A – Page 5

29. On August 15, 2019, law enforcement obtained a search warrant for UNDERWOOD'S residence and vehicle. On August 16, 2019, law enforcement executed that search warrant.

30. On August 23, 2019, a USCP investigator conducted a telephonic interview of UNDERWOOD. During the interview, UNDERWOOD was asked if he made statements about coming to the Capitol, coming to the Capitol with a rifle, and traveling to DC. UNDERWOOD generally stated he had a hypothetical conversation over Facebook messenger with CW-1 regarding the questioned topics on August 11th or 12th. UNDERWOOD stated he was not sure of the exact date of the conversation. UNDERWOOD stated he attempted to obtain screen captures of the Facebook messenger conversation, but the conversation was no longer available.

31. On August 23, 2019, following the telephonic interview with UNDERWOOD, a USCP investigator contacted CW-1 by telephone.

32. CW-1 advised although there had been hypothetical conversations with UNDERWOOD, CW-1 did not perceive the Facebook Messenger conversation of August 12 and August 13, 2019 as hypothetical. CW-1 stated, in regard to the reported Facebook Messenger conversations with UNDERWOOD "the way he worded it seemed more like a threat than just a general conversation".

Facebook

33. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news,

photographs, videos, and other information with other Facebook users, and sometimes with the general public.

34. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

35. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

36. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

37. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

38. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook’s purposes, the photos and videos associated with a user’s account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

39. Facebook users can exchange private messages on Facebook with other users. Those messages are stored by Facebook unless deleted by the user. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a chat feature that allows users to send and receive instant messages through Facebook Messenger. These chat communications are stored in the chat history for the account. Facebook also has

Video and Voice Calling features, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

40. If a Facebook user does not want to interact with another user on Facebook, the first user can “block” the second user from seeing his or her account.

41. Facebook has a “like” feature that allows users to give positive feedback or connect to particular pages. Facebook users can “like” Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become “fans” of particular Facebook pages.

42. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

43. Each Facebook account has an activity log, which is a list of the user’s posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as “liking” a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user’s Facebook page.

44. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

45. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications (“apps”) on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user’s access or use of that application may appear on the user’s profile page.

46. Facebook also retains Internet Protocol (“IP”) logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP

address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

47. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

48. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user's IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook

account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to “tag” their location in posts and Facebook “friends” to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner’s state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner’s motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

49. Therefore, the records systems and computers of Facebook are likely to contain the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

50. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information

(including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

51. Based on the forgoing, I request that the Court issue the proposed search warrant. Because the warrant will be served on Facebook, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

52. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

53. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

REQUEST FOR SEALING

54. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court or are unsealed by operation of local rule. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



William Ury
Special Agent
United States Capitol Police

Subscribed and sworn to before me on November 27, 2019



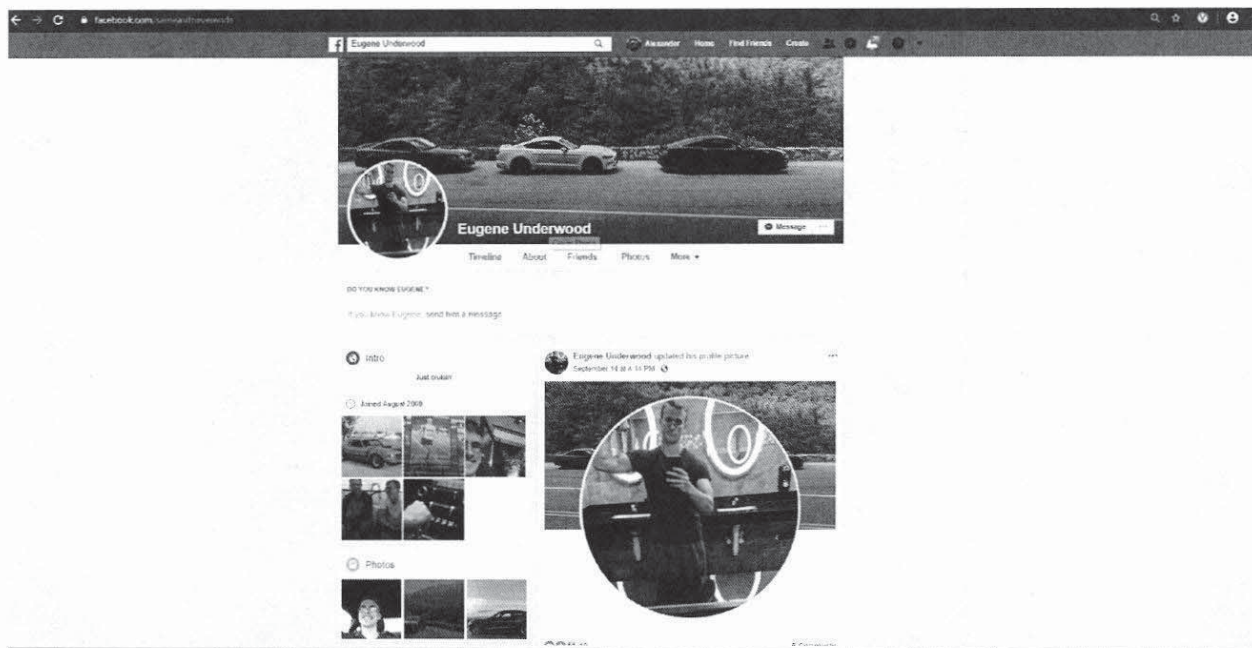
JOEL C. HOPPE
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the Facebook user URL:

<https://www.facebook.com/sameasitneverends> that is stored at premises owned, maintained, controlled, or operated by Facebook Inc., a company headquartered in Menlo Park, California.



(Date of Screen Capture: September 18, 2019)

ATTACHMENT B

Particular Items to be Seized

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. ("Facebook"), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- (a) All contact and personal identifying information, including URL:
<https://www.facebook.com/sameasitneverends>: full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.]]
- (b) All activity logs for the account and all other documents showing the user's posts and other Facebook activities **from August 12, 2019 0000 hours EDT to August 13, 2019 1159 hours EDT**;
- (c) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in **from August 12, 2019 0000 hours EDT to August 13, 2019 1159 hours EDT**, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;

- (d) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- (e) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user name, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
- (f) All other records and contents of communications and messages made or received by the user **from August 12, 2019 0000 hours EDT to August 13, 2019 1159 hours EDT**, including all Messenger activity, private messages, chat history, video and voice calling history, and pending "Friend" requests;
- (g) All "check ins" and other location information;
- (h) All IP logs, including all records of the IP addresses that logged into the account;
- (i) All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- (j) All information about the Facebook pages that the account is or was a "fan" of;
- (k) All past and present lists of friends created by the account;
- (l) All records of Facebook searches performed by the account **from August 12, 2019 0000 hours EDT to August 13, 2019 1159 hours EDT**;

- (m) All information about the user's access and use of Facebook Marketplace;
- (n) The types of service utilized by the user;
- (o) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (p) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- (q) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

Facebook is hereby ordered to disclose the above information to the government within **14 Days** of service of this warrant.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. § 875 (Interstate Threatening Communications) involving Facebook URL: <https://www.facebook.com/sameasitneverends>, since **August 12, 2019** including, for each user name identified on Attachment A, information pertaining to the following matters:

- (a) All private and public messages sent to CW-1;
- (b) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and

events relating to the crime under investigation and to the Facebook account owner;

(c) The identity of the person(s) who created or used the user name, including records that help reveal the whereabouts of such person(s);

(d) All private and public messages sent to any user pertaining to the following matters:

1. Records and information related to threats to government personnel or government buildings/facilities/property
2. Records and information related to the operation of weapons and military tactics
3. Records and information related to mass shootings or manifestos related to violence or other criminal conduct
4. Records and information related to the operation or daily business of the Government

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS PURSUANT TO
FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)**

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Facebook, and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Facebook. The attached records consist of _____ **[GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)]**. I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Facebook, and they were made by Facebook as a regular practice; and

b. such records were generated by Facebook's electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Facebook in a manner to ensure that they are true duplicates of the original records; and

2. the process or system is regularly verified by Facebook, and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

Date

Signature